

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY POWER)	
COMPANY FOR: (1) A GENERAL ADJUSTMENT)	
OF ITS RATES FOR ELECTRIC SERVICE; (2) AN)	CASE NO.
ORDER APPROVING ITS 2014 ENVIRONMENTAL)	2014-00396
COMPLIANCE PLAN; (3) AN ORDER APPROVING)	
ITS TARIFFS AND RIDERS; AND (4) AN ORDER)	
GRANTING ALL OTHER REQUIRED APPROVALS)	
AND RELIEF)	

ORDER

On June 5, 2015, Kentucky Power Company (“Kentucky Power”), filed a petition, pursuant to 807 KAR 5:001, Section 13, requesting that the Commission grant confidential protection to a portion of the stenographic transcript of the May 5, 2015 hearing in this matter that was conducted in a confidential session.¹ By Order entered April 29, 2015, the Commission granted Kentucky Power’s request to hire an independent court reporter to prepare a stenographic transcript which would be included in the evidentiary record but not supplant the digital video recording as the official record maintained in accordance with the requirements of KRS 278.360. The material for which Kentucky Power requests confidential treatment is related to a transaction being contemplated by Kentucky Power and an unaffiliated third party. The designated information is subject to a pending confidentiality petition filed on March 10, 2015, that Kentucky Power incorporates by reference. In the March 10, 2015 petition, Kentucky

¹ On June 5, 2015, Kentucky Power also filed the public portions of the stenographic transcript of the May 5, 2015 hearing.

Power requested that the designated information remain confidential through December 31, 2018.²

In support of its petition, Kentucky Power states that disclosure of the designated information would disrupt negotiations and potentially prevent consummation of the transaction. Kentucky Power further states that the designated information is generally recognized as confidential, and thus is exempt from public disclosure pursuant to KRS 61.878(1)(c)(1).

Having carefully considered the petition and the materials at issue, the Commission finds that the designated materials contained in the stenographic transcript for that portion of the May 5, 2015 hearing in this matter that was conducted in a confidential session meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(c)(1) and 807 KAR 5:001, Section 13. The Commission further finds that the designated information should not be placed in the public record or made available for public inspection for a period of time ending on December 31, 2018, or until further Orders of this Commission.

IT IS THEREFORE ORDERED that:

1. Kentucky Power's motion for confidential protection is hereby granted.
2. The materials set forth in the stenographic transcript for that portion of the May 5, 2015 hearing in this matter that was conducted in a confidential session shall not be placed in the public record or made available for public inspection for a period of time ending on December 31, 2018, or until further Orders of this Commission.

² Kentucky Power did not request a specific time period for affording confidential treatment for the stenographic transcript that is the subject of this request. The Commission will deem the time period requested in the March 10, 2015 petition as applicable to the request for confidential treatment of the transcript at issue in this request.

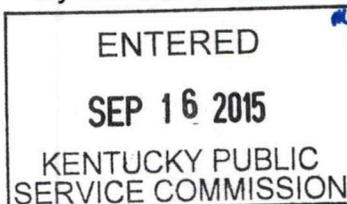
3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

4. Kentucky Power shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.

5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not run, then Kentucky Power shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Kentucky Power is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the requested materials available for inspection for 20 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow Kentucky Power to see a remedy afforded by law.

By the Commission



ATTEST:

A handwritten signature in black ink that reads "Stephanie Bell" followed by a stylized flourish.

Executive Director

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